

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NORTH AMERICAN
CAPACITY INSURANCE
COMPANY,

Plaintiff,

v.

TURNER CONSTRUCTION
COMPANY, et al.,

Defendants.

No. C 03-5521 WDB

ORDER FOLLOWING RECEIPT OF
CORRESPONDENCE REGARDING
DEFENDANT TURNER
CONSTRUCTION COMPANY'S
OBLIGATION TO RESPOND TO
PLAINTIFF'S PENDING MOTION
FOR SUMMARY JUDGMENT

The Court has received and reviewed defendant Turner Construction Company's correspondence, dated January 24, 2006, regarding defendant's obligation to respond to plaintiff's pending motion for summary judgment. Plaintiff is hereby ordered to file a response to defendant's correspondence by no later than tomorrow, January 27, 2006, at 1:00 p.m. After reviewing plaintiff's response, the Court will decide whether to conduct a Case Management Conference to further discuss Turner's request to be excused from responding to plaintiff's motion for summary judgment, or whether an alternative course of action is more appropriate.

IT IS SO ORDERED.

Dated: January 26, 2006

/s/ Wayne D. Brazil
WAYNE D. BRAZIL
United States Magistrate Judge

Copies to: Parties, WDB, stats.